

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ERIC MICHAEL MILTON,

Defendant.

Case No. CR04-5265 RBL
Case No. C05-5756 RBL

ORDER

THIS MATTER comes on before the above-entitled Court upon Defendant's "Motion/Evidence for Quo Warranto and/or 60B (sic) Motion" [Dkt. #70, CR04-5265RBL] and "Actual and Constructive Notice and Request for Fiduciary Tax Return" [Dkt. #71, CR04-5265RBL].

Having considered the entirety of the records and file herein, the Court finds and rules as follows:

Defendant, acting pro se, has again filed frivolous documents with this Court [see Dkt. #69, CR04-5265RBL] after having filed a Notice of Appeal of this Court's Order Denying § 2255 Motion [Dkt. #3, C05-5765RBL] and after this Court denied a Certificate of Appealability [Dkt. #9, C05-5756RBL]. The Notice of Appeal divests this Court of jurisdiction to consider plaintiff's frivolous requests, and, as such, the "Motion" and "Notice" are hereby **STRICKEN** from this Court's motions calendar. The Court will not respond to any further frivolous filings by the defendant.

IT IS SO ORDERED.

1 The Clerk shall send uncertified copies of this order to all counsel of record, and to any party appearing
2 pro se.

3 Dated this 27th day of February, 2006.

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5 RONALD B. LEIGHTON
6 UNITED STATES DISTRICT JUDGE
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